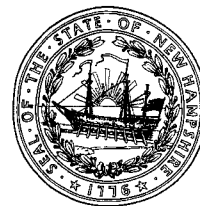




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

August 14, 2006

**LETTER OF DEFICIENCY# WSEB 06-108**  
Certified Mail# 7099 3400 0003 6156 4722

Dean Giffin  
Sanbornville Water Department  
PO Box 254  
Sanbornville, NH 03872-0254

Subject: Wakefield - Public Water System: Sanbornville Water Dept. (EPA# 2391010)

Dear Mr. Giffin:

On the morning of July 24, 2006, the NH Department of Environmental Services (DES) learned that one of five routine bacteria samples submitted to Demers Testing Laboratory on July 20, 2006, had been found to be fecal coliform positive. It is DES's understanding that the laboratory notified a representative of the Sanbornville Water Department of the fecal positive sample on Friday evening July 21<sup>st</sup>. Despite this knowledge, a Boil Order was not issued by the Sanbornville Water Department to its customers until DES staff contacted system representatives upon learning of the fecal contamination when DES's offices opened on Monday, July 24, 2006.

NH Administrative Rule Env-Ws 325.11 requires a water system owner to issue a Boil Order whenever a routine or repeat bacteria sample indicates the presence of fecal coliform or *E. coli* bacteria. This regulation also requires that the Boil Order notice be given to consumers in accordance with the public notice requirements for acute violations, which requires such notice to be performed as soon as possible, but within 24 hours of learning of the situation. Thus, the Sanbornville Water Department should have issued the Boil Order within 24 hours of receiving notification from Demers Laboratory of the positive fecal coliform sample.

The failure to issue the Boil Order by Saturday evening July 22<sup>nd</sup> is particularly troubling in light of the public notice the water system issued to consumers following the June 2006 total coliform maximum contaminant level (MCL) violation. In that public notice, consumers were assured that bacteria testing at that time did not indicate the presence of fecal coliform or *E. coli* bacteria and that "if it had, we would have notified you immediately."

Once notified by DES staff on July 24, 2006, to issue the Boil Order, the Sanbornville Water Department did so. However, the events surrounding this emergency situation caused DES staff to review the Emergency Plan you submitted to DES on February 4, 2002. After reviewing your Plan, DES sent a letter to you, dated July 12, 2004, specifically noting that "Section 5: Boil Orders" needed additional attention (copy enclosed). It should also be noted that when the emergency was brought to our attention on Monday July 24, 2006, DES staff found difficult to contact you and your associate operator.

The Emergency Plan rule, specifically Env-Ws 360.15, was designed to require community water systems to have an established protocol in place to respond to an emergency situation. The incompleteness of the Sanbornville Water Department's Emergency Plan as documented in DES's July 12, 2004 letter referenced above, and the delayed issuance of the Boil Order last month, indicate the system's Emergency Plan is insufficient to guide the Water Department through a crisis.

DES believes the deficiencies in the Emergency Plan can be corrected and future emergency situations better handled by taking the following actions.

1. **By September 30, 2006**, revise the Sanbornville Water Department's Emergency Plan to fully address the comments outlined in DES's letter, dated July 12, 2004, and make any other necessary updates to information in the document; and
2. **By October 6, 2006**, send a copy of the revised Emergency Plan to DES.

The copy of the revised Emergency Plan as requested above should be addressed as follows:

Alan Leach  
Department of Environmental Services  
Water Supply Engineering Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

In the event compliance is not achieved within this period, DES may initiate formal action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

If you have any questions this letter, please contact Alan Leach at (603) 271-2854 or by email at [aleach@des.state.nh.us](mailto:aleach@des.state.nh.us).

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'COPY' with a long horizontal stroke extending to the right.

Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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encl: DES letter, dated July 12, 2004

cc w/o encl.: Gretchen R. Hamel, DES Legal Unit Administrator  
David Tibbetts, Assoc. Operator  
Town of Wakefield Health Officer  
Demers Testing Laboratory  
✓ EPA, Region 1